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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/748,093

12/30/2003

Thomas A. Wagner

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7590

05/26/2005

Kris T. Fredrick  
Patent Services  
Honeywell International Inc.  
101 Columbia Road  
Morristown, NJ 07962

EXAMINER

TRIEU, VAN THANH

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**Application No. ☒

10/748,093

Applicant(s)

WAGNER ET AL.

Examiner

Van T. Trieu

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by **Pedersen et al** [US 6,289,331].

Regarding claim 1, the claimed system for coordinating the activity of a plurality of humans, comprising: a plurality of humans each having a communicator device (each of the fire fighting resources 30, 40 and associated personnel such as firefighters/fighting personnel includes a cellular telephone for communicating with the fire control headquarter 20, see Fig. 1, col. 7, lines 14-22 and col. 14, lines 46-52); and the central automated controller having reasoning capability based on a predetermined set of criteria (the fire control headquarter 20 includes a control processor 208 automatically optimized fire fighting activities including analyzing and determining of the fire location and personnel in critical conditions, see Figs. 15 and 18-19, col. 2, lines 10-21, col. 3, lines 16-25, col. 6, lines 54-65, col. 7, lines 58-67, col. 8, lines 1-4, col. 13, lines 1-14 and col. 16, lines 1-15); and the controller being able to communicate messages to and from each communicator device of each of the humans (the fire control headquarter 20 is continuously or periodically communicating/dispatching messages, commands and

Art Unit: 2636

information to each of the fire fighting resources 30, 40 and fighting personnel via communication channels or links 90, 216 and cellular telephone network, see Fig. 1, col. 7, lines 45-67, col. 14, lines 13-55 and col. 20, lines 44-51); and the controller being able to process input from each of the communicator devices and process said input in accordance with programmed decision making capability to accomplish predetermined objectives and provide output to at least some of the humans through the communicator devices to assess a situation and direct steps in response thereto and the controller coordinating decisions assessment reasoning predetermined objectives being adapted to continue receiving inputs, based on a predetermined model and task to determine the best way to accomplish the (the fire control headquarter 20 includes a control processor 208 is programmed to receives audio and video information data from each of the fire location, fire firefighting resources 30, 40 and fighting personnel, then it processes and analysis of received data, derivation of optimal control strategies. The control processor 208 made decisions, risk assessment, commands, directing and instruction with each of the remote control centers 21-26 and various firer fighting resources 30, 40 and fire fighting personnel for optimizing fire fighting activities, see Figs. 1 and 20, col. 6, lines 54-65, col. 7, lines 14-22 and 41-67, col. 13, lines 1-14, col. 15, lines 53-61, col. 16, lines 1-67, col. 17, lines 1-5, col. 19, lines 46-52 and col. 20, lines 20-51);

Regarding claim 2, the claimed plurality of human are formed into a plurality of teams (the fire fighting team includes a plurality of fire fighting personnel, fire fighting resources 30, 40 with their own personnel, see col. 7, lines 14-22 and col. 19, lines 46-50).

Regarding claim 3, the claimed communicator device of each member of each team is a mobile device selected from the group comprising a radio transmitter/receiver (the cellular telephone and radio phone networks, see col. 14, lines 46-48).

Regarding claim 4, the claimed communicator device of each member of each team is a laptop or desktop computer or other stationary or vehicle mounted information transmitter and receiver (each of the fire fighting resources 30, 40 includes a computer, see col. 8, lines 30-32).

Regarding claim 5, the claimed coordinator that reasons, assesses and makes decisions are cited in respect to claim 1 above.

Regarding claim 6, the claimed programmed decision making capability to accomplish predetermined objective provides outputs to the communicator device comprising an output selected from the group consisting of instructions, questions and combinations thereof (the control processor 208 is programmed to output selected code signals defining the results of computer processing and analysis of the various fire control factors are provided to each fire fighting resources 30, 40 and fire fighting personnel, see col. 7, lines 45-67, col. 13, lines 1-14, col. 14, lines 13-52, col. 17, lines 1-5, col. 19, lines 46-52 and col. 20, lines 20-51).

Art Unit: 2636

Regarding claim 7, all the claimed subject matters are cited in respect to claims 1 and 5 above.

Regarding claim 8, all the claimed subject matters are cited in respect to claims 2 and 7 above.

Regarding claim 9, all the claimed subject matters are cited in respect to claims 3 and 7 above.

Regarding claim 10, all the claimed subject matters are cited in respect to claims 4 and 7 above.

Regarding claim 11, all the claimed subject matters are cited in respect to claims 5 and 7 above.

Regarding claim 12, all the claimed subject matters are cited in respect to claims 6 and 7 above.

Regarding claim 13, the method claimed limitations are met by the apparatus claims 1 and 7 above.

Art Unit: 2636

Regarding claim 14, all the claimed subject matters are cited in respect to claims 2 and 13 above.

Regarding claim 15, all the claimed subject matters are cited in respect to claims 3 and 14 above.

Regarding claim 16, all the claimed subject matters are cited in respect to claims 4 and 14 above.

Regarding claim 17, all the claimed subject matters are cited in respect to claims 5 and 14 above.

Regarding claim 18, all the claimed subject matters are cited in respect to claims 6 and 14 above.

### ***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Pedersen et al** discloses a system and method for automatically detecting fires in select area to coordinating an optimum fire fighting strategies. [US 5,832,187]

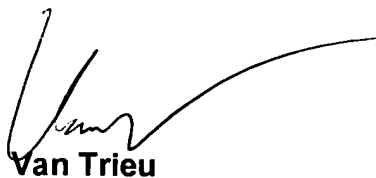
**Carrier et al** discloses a mobile emergency response platform to coordinate a plurality of rescue teams through wireless communications. [US 6,798,343]

Art Unit: 2636

**Moore** discloses a rapid response health care communication system for providing rapid and reliable health services to patients located within or outside a health care facility, comprising a health care coordinate console to communicate with the personnel communication network. [US 4,237,344]

3. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (571) 272-2981.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long, sweeping horizontal stroke extending to the right.

**Van Trieu**  
**Primary Examiner**  
**Date: 5/20/05**